IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3483 OF 2006

Sridhar Bhogaraju .. Applicant

Versus

State of Maharashtra & Anr. .. Respondents

Mr.S.U.Marwadi for applicant
Mr.Aditya Khandeparkar i/b. Khaitan & Jayakar for respondent No.2
Mr.Pednekar, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 10th October 2006.

P.C.

. This is an application for anticipatory bail. However, the applicant and original respondent No.2 - original complainant, took time on the last occasion to explore possibility of settlement.

2. Today, consent terms which are drawn between the complainant and applicant who was the employee of Koni Elevators India Pvt.Ltd., whose officer is the complainant, record that a sum of Rs.5 lakhs is agreed to be refunded by the applicant, which is accordingly refunded by two Demand Drafts, receipt of which is confirmed by the original complainant.

3. Having perused the F.I.R. and the relevant material, it appears to me that the dispute essentially was on account of breach of the terms and conditions of service contract, which led to institution of present complaint/lodging of F.I.R. It appears that the claims were monetary in nature and both sides have put to an end the same amicably. Both, complainant and applicant are present in court today and state that to avoid future claims and disputes against each other in future, it would be appropriate to exercise powers under

section 482 of Cr.P.C. at this stage itself.

4. In the peculiar facts and circumstances of this case and without treating this order as precedent, consent terms are taken on record and marked "X" for identification, Order is passed in terms of consent terms. Anticipatory bail application preferred is accordingly disposed of by confirming ad-interim order.

5. Needless to state that investigation and further proceedings in C.R.No.512 of 2006 registered with Malad Police Station stand quashed and set aside. All concerned to act on an authenticated copy of this order.

(S.C.Dharmadhikari, J)